

STANDARD OIL CO. OF NEW JERSEY DECLARED ILLEGAL

U. S. Circuit Court of Appeals Hands Down Decision Today Ordering Corporation Dissolved

St. Paul, Minn., Nov. 20.—In an opinion written by Circuit Judge Sanborn of St. Paul, filed in St. Louis and St. Paul today, the U. S. Circuit court for the District of Missouri held the Standard Oil company of New Jersey an illegal corporation and ordered that it be dissolved.

The case was heard in the U. S. Circuit court at St. Louis in April, 1909, by Circuit Judges Sanborn, of St. Paul; Vandevanter, of Cheyenne; Hook, of Leavenworth, and Adams, of St. Louis.

Sanborn, the presiding judge, wrote the opinion and decree in which all the judges concurred.

A Notable Case.

Suit was brought to enjoin John D. Rockefeller, William Rockefeller, Henry H. Flagler, Henry H. Rogers, John D. Archibald, Oliver H. Payne and Charles M. Pratt, of the Standard Oil company of New Jersey and about seventy other corporations from maintaining a combination and conspiracy in restraint of trade to monopolize interstate and international commerce and the decree grants the injunction sought by the government.

The case is one of the most notable in the history of the nation on account of the important industrial and legal questions and vast financial interests it involves.

What the Opinion Holds.

The opinion holds "Congress has power under the commercial clause of the constitution to regulate and restrict the use, in commerce among the states and with foreign nations, of contracts if the method of holding title to property and of every other instrumentality employed in that commerce, so far as it may be necessary to do so, in order to prevent the restraint thereof, is denounced by the anti-trust act of July 2, 1890," and also declares "the test of legality of a combination under this act is its necessary effect upon competition in commerce among states or with foreign nations."

The opinion continues: "If its necessary effect, as only incidentally or indirectly, is to restrict that competition, while its chief result is to foster the trade and increase the business of those who make and operate it, it does not violate that law. But if its necessary effect is to stifle, or directly and substantially to restrict free competition in commerce among states or with foreign nations, it is illegal within the meaning of that statute."

Dangerous Combination.

"The power to restrict competition in commerce among the states, or with foreign nations, vested in a person or an association of persons by combination, is indicative of the character of the combination, because it is to the interest of the parties that such power should be exercised, and the presumption is it will be."

"Combination in a single corporation or person by an exchange of stock of the power of many stockholders holding the same proportions, respectively, of the majority of stock of each of the several corporations engaged in commerce in the same articles among states or with foreign nations to restrict competition therein, renders power thus vested in the former greater, more easily exercised, more durable and more effective than that previously held by the stockholders and it is illegal."

History of Combination Reviewed.

"Various steps taken to organize the standard oil combination are reviewed. Beginning with the control of the competing oil companies Standard Oil gradually absorbed the others until that corporation had absolute control of the production and selling of oil, limiting the production and dictating of prices."

The decree enjoins the individual defendants of the Standard Oil company and subsidiary corporations from continuing or carrying into effect the illegal combination they have formed and from entering into any like combination of conspiracy the effect of which will be to restrain interstate commerce in petroleum or its products, or to prolong an unlawful monopoly of such commerce obtained by the defendants as stated in the decree, and they are forbidden from engaging or continuing in interstate commerce until they discontinue their illegal combination.

Decree Effective in Month.

St. Louis, Nov. 20.—The decree of dissolution in the Standard Oil case takes effect in thirty days unless suspended by an appeal to the Supreme court of the United States.

Comment by Wickersham.

Leavenworth, Kas., Nov. 20.—"It is one of the most important decisions ever entered in this country, declared Attorney General Wickersham, who is here, when told by the Associated Press of the Standard Oil decision."

"The decision of dissolution against a great corporation like that of the Standard Oil is the utmost that could be imposed by law upon great monopolies, which has been the object of

YALE VICTOR OVER HARVARD

Sons of Eli Win Eastern Championship Today by the Score of 8 to 0

MICHIGAN HOLDING ITS OWN

Score at End of First Half of Michigan-Minnesota Game is 6 to 6, and in Chicago-Wisconsin Game Badgers Score 6 to Chicago's Nothing in the First Part of Game.

Yale defeated Harvard today by the score of 8 to 0. At the end of the first half the score was 5 to 0.

At the end of the first half the score in the Michigan-Minnesota game was 6 to 6. Score two minutes before end of game: Michigan 15, Minnesota 6.

At the end of the first half of the Chicago-Wisconsin game the score was 6 to 0 in favor of Wisconsin.—Gay and Sturgis wire.

Big Games in the East.

New York, Nov. 20.—Outside of the Yale-Harvard game at Cambridge this afternoon interest in the eastern football situation attaches to the game between Brown university and the Carleton Indians in this city and the contest between the University of Illinois and the Syracuse university at Syracuse.

Contests in the West.

Chicago, Nov. 20.—In the west today two big games are on the list, Minnesota and Michigan at Minneapolis, and Chicago and Wisconsin in this city. Minnesota and Michigan meet for the first time in six years and today's contest is for the western championship, while second place is the aim in the local game.

Legislators Against Football.

Washington, Nov. 20.—Legislation, which would require all football games in the District of Columbia to be played under the license of the police, who would be privileged to stop any game when it becomes dangerous to life and health, has been suggested by Corporation Counsel Thomas as one of the direct results of this year's long list of fatalities on the gridiron. The effect of the legislation proposed would make the police immediate supervisors of the game.

NEWS IS CONFIRMED.

Washington, Nov. 20.—Official confirmation of the execution in Nicaragua, of the Americans, Leroy Cannon and Leonard Grace, was received by the state department this morning.

THREE CANADIAN CRUISERS.

Naval Plans Before Parliament Also Provide Four Destroyers.

Ottawa, Ont., Nov. 20.—Canada's naval plans have been laid before parliament. They provide for the construction of three cruisers of the "Imperial" class, and four destroyers of the improved river class. The cost of the cruisers is estimated at \$5,750,000, and that of the destroyers at \$1,500,000. The annual cost of maintenance of the vessels is estimated at \$2,000,000. Two of the cruisers will be assigned to the Pacific and one cruiser and the four destroyers to the Atlantic coast.

There also is a military program extending the plan already inaugurated of co-operation by the Canadian military authorities with the imperial general staff, the exchange of officers with Great Britain and the training of the Canadian forces upon the British war office system.

The Canadian defence program is based on the results of the imperial defence conference in London last summer.

RICHEST WOMAN 75 YEARS OLD SUNDAY

Mistress of Nearly One Hundred Million Dollars Will Enter Upon Her Forty-Fifth Year as a Business Woman Tomorrow—America Possesses the Three Wealthiest Women.

New York, Nov. 21.—Mrs. Hetty Green, mistress of nearly one hundred millions, will tomorrow enter upon her seventy-fifth year and at the same time will begin her forty-fifth year as a business woman, during which time she has accumulated a fortune that is estimated to be the largest controlled by any woman in the world.

Still the Richest Woman.

When E. H. Harriman died last fall, leaving all of his property to Mrs. Harriman, a report was circulated to the effect that the widow had thereby become the richest woman in the world. Mr. Harriman's wealth in real and personal property was estimated to amount to between \$75,000,000 and \$100,000,000. But there is every reason to believe that Mrs. Harriman's five children, together with his surviving sister and other relatives, had all been substantially provided for in gifts out of hand and trust funds set aside shortly before the death of the financier. Mrs. Harriman's share, there-

Big News Events of the Coming Week.

Washington, Nov. 20.—For the first time since he left Washington for his summer vacation, the president is to have a solid week to devote to the work of clearing his desk of the business that accumulated during his long absence. So far as his present plans are concerned he will remain in Washington from now until the meeting of congress and will devote much of his time to the completion of the message to be presented to that body early next month. The only break in the routine of work will come next Thursday, when a Thanksgiving reunion of the president's family will be held at the White House.

Politicians are interested in the outcome of the special election to be held in Chicago Tuesday to fill the vacancy in the Sixth congressional district caused by the promotion of William L. Lorimer to the senate. Three candidates, a democrat, a republican and an independent republican, are in the race. The campaign has assumed a national aspect from the fact that the tariff question was made the issue of the contest.

At the annual meeting of the National Civic Federation in New York the questions of compensation for victims of industrial accidents, employers' voluntary sick and death funds and old age pensions will be discussed by foreign authorities on these subjects and American business men. Senator Root will be one of the speakers on the topic of old age pensions. Among others who will take part in the discussions are A. H. Gill and J. R. Clymes, labor members of the English parliament; Franklin MacVough, secretary of the treasury; John Hays Hammond, Andrew Carnegie, George B. Cortelyou and Samuel Gompers.

An event of interest to society will be the wedding in Washington of Miss Yule E. Noble, daughter of the late William Belden Noble, and Lieut. Sherman Miles, U. S. A., son of Lieut. Gen. Nelson A. Miles. The ceremony will take place at St. John's church and will be given added brilliancy by the presence of many prominent army officers.

Wednesday is the day fixed for the formal inauguration of W. Cameron Forbes as governor general of the Philippines. Mr. Forbes was recently chosen to succeed Governor General James F. Smith.

The budget controversy, which has kept England in a political turmoil for several months and has even threatened the existence of the present government, will come to a head Monday, when the debate on the second reading, which will determine the fate of the bill, will begin in the house of lords.

A general election will be held in British Columbia as a culmination of one of the most exciting political campaigns ever witnessed in that province. The chief issue of the contest has to do with the government's policy in regard to railways, their construction, extension and subsidy.

fore, is believed not to have exceeded \$50,000,000 or \$60,000,000, so that in any event it is erroneous to credit her with possessing a fortune in excess of that of Hetty Green, which is estimated to be close to the \$100,000,000 mark and may possibly exceed that figure.

Three Wealthiest Women.

It is interesting to note that America possesses not only the richest but probably the three richest women in the world. Next to Hetty Green comes Mrs. Russell Sage, with a fortune of \$35,000,000, and third is Mrs. Harriman. Mrs. Frederick Cortland Pennell is credited with a fortune of \$60,000,000.

The four women named inherited practically the entire estates of their husbands. Many other American women have survived their millionaires husbands, but in few cases have the widows received the entire estates. Thus, Cornelius Vanderbilt, Jr., left an estate of \$125,000,000, but the widow's portion was only \$2,000,000 and a trust fund yielding \$250,000 a year. Mrs. Marshall Field, whose husband's estate amounted to \$200,000,000, received \$2,000,000 as a wedding present in lieu of dower interest. Mrs. O. H. P. Belmont received the whole of her husband's estate of \$5,000,000. Mrs. Morris K. Jesup received a little over half of the \$13,000,000 left by her husband.

Other Rich Women.

Outside of the United States the richest woman is believed to be Frau Bertha von Bohen, who came into possession of the \$80,000,000 left by her father, the celebrated gun manufacturer, The Marchioness of Graham, by the death of her father, the Duke of Hamilton, came into possession of an income of nearly \$800,000 a year. The Duchess of Roxburgh, who was Miss May Goelt, is credited with possessing a fortune of \$25,000,000. Mrs. S. G. Ascher, daughter of the late Harry Barnato, is estimated to be worth \$10,000,000. The Countess Szechenyi, who was Miss Gladys Vanderbilt, is placed on the list with \$12,000,000. Mme. Creel of Mexico is said to have an income of \$5,000,000 a year. The Baroness von Eckardstein, daughter of Sir Blundell Maple, has recently come into the second portion of her father's fortune, making her yearly income something like \$750,000.

NOTED MURDER TRIAL AT HAND

Intense Interest in Miller, Sayler and Grunden Cases at Watseka, Ill.

DEFENSE WILL BE VIGOROUS

Thousands of Dollars Will Be Spent to Free Defendants Who Are Charged With Killing Banker Sayler—Prosecution Also Backed by People of Wealth—Domestic Tragedy.

Watseka, Ill., Nov. 20.—Never before in the history of Iroquois county has a trial excited the intense interest exhibited in the cases of Dr. William R. Miller, Mrs. J. D. Sayler and John Grunden, who are to be called into court the coming week to answer for the murder of J. B. Sayler at Crescent City on the night of July 11. The alleged motive for the crime is found in the intimacy of Dr. Miller and Mrs. Sayler and the desire to get rid of the latter's husband. The attractiveness of the woman and the wealth and prominence of all concerned in the tragedy have fed the popular imagination and led the public to believe that some startling disclosures will be made at the trial.

No murder committed in this section of Illinois ever attracted the attention and comment the Sayler murder did at the time, and it was by the narrow margin that all persons implicated were not lynched when the citizens of Crescent City heard of it.

Victim a Prominent Banker.

J. B. Sayler was vice-president of the State Bank at Crescent City, and the owner of hundreds of acres of rich land and thousands of head of cattle. His wife, Lucy Sayler, has for years been considered one of the prettiest women of Eastern Illinois. She was the pet of a large circle of friends, and when Dr. William R. Miller moved into the town from Pennsylvania, he joined the same social set in which Mrs. Sayler moved. They became infatuated with each other and it was not long until their conduct was the gossip of the town.

Sayler's friends are said to have repeatedly told him of the conduct of his wife, but beyond occasionally reminding her of her duties to her daughter, he took no heed of her conduct until a few months before the tragedy, when there was an open rupture. Just a few days before he was killed Sayler left home and engaged board at a hotel. He intended to leave his wife for good, so his brother-in-law, who was present at the murder, postponed it until the following Monday, and that night he was shot.

Will Be Hard Fought Case.

In the coming trial the cases will be the most stubbornly contested of any criminal cases in the history of Illinois. The defense is backed by thousands of dollars furnished by relatives of Dr. Miller and Mrs. Sayler. The county has come to the aid of the prosecution, and has told the State's Attorney to draw upon it for any sums needed. In addition to this money the prosecution will be financially assisted by the brothers of the murdered man. They are immensely wealthy and two of them have declared they will spend their entire fortune to convict Miller, also their brother's widow. Some of the best legal talent in this section of the State has been engaged in the case and two attorneys from Chicago have been employed, one by the prosecution and the other by the defense. There will be about two hundred witnesses and it is expected the trial will continue through the holidays.

For Holding Up a Union Pacific Train Near Omaha William Matthews, Frank Grigware, John Shelton, D. W. Moore and Fred Torgerson Are Imprisoned at Leavenworth.

Leavenworth, Kas., Nov. 20.—William Matthews, Frank Grigware, John Shelton, D. W. Moore and Frederick Torgerson were placed in the federal prison here last night to begin life sentences for holding up a Union Pacific train near Omaha last May. The men, who were recently convicted in Omaha, stole seven sacks of registered mail.

NEW TEXAS ROAD OPENED.

The Gulf, Texas and Western Has Been Opened for Traffic.

Austin, Texas, Nov. 20.—The Gulf, Texas and Western is a new Texas railroad which is completed and opened for traffic between Jacksonville, on the Rock Island and Olney, on the Wichita Falls and Southern, a distance of about forty miles. Construction is now in progress on an extension from Olney to a connection with the Kansas City, Mexico and Orient, about eight miles. Ultimately the road will be built west to Roswell, N.M., about 350 miles and southeast from Fort Worth to Sabine Pass, 300 miles, according to the plans of the promoters.

FORTY MEN FOUND ALIVE IN MINE AT CHERRY, ILL.

Survivors Save Their Lives by Walling Themselves In, Seven Days of Agony.

Cherry, Ill., Nov. 20.—At 2 o'clock this afternoon it was reported that forty men were alive in the mine. The men were reached after a wall of debris had been broken down. At first the men were supposed to be dead, but on being uplifted by their hands and the feet were found to be breathing. The live men were immediately rushed to the hoisting shaft and stimulants administered. One of the men after being brought to sunlight after seven days of entombment was able to mutter incoherently. It appears that the men, after discovering their predicament, walled themselves in.

The fight against death was led by Joseph Crescini. Crescini was one of two men brought up in the cage. He reported between thirty and forty other men alive in the south wing. In the darkness where they waited for seven days in agony of hunger and suspense they lost track of time and thought today was Sunday. The two men were given nourishment in the form of milk diluted with water and administered in small portions until their stomachs could retain it. The next trip brought up seven other survivors. They were smiling and healthy, save for weakness due to lack of food.

Under the lead of Crescini such food as remained in the dinner pails was assembled and the men put on short rations. When the explorers broke into the tomb-like prison the men were all seated but with the ray of light, which shot into their prison from the depths of the searching party, they jumped to their feet and gave a feeble cheer. They said they had started to dig their own way out, their barricade having been almost impassably reinforced by a cave-in.

Thirty Bodies Are Recovered.

Cherry, Ill., Nov. 20.—A great heap of bodies was reached in the mine today after the night was spent in desperate efforts to remove the obstructions. In one great pile, behind a "fall in" of gravel, timber and coal, the explorers discovered thirty bodies.

They waited until daylight to bring the bodies to the surface, when in the half light of the sun's first rays, the ghastly procession began. On a canvas stretched upon the ground, one by one, the thirty bodies were laid. A few women were present at the time, but for the most part the village had not been awakened. But when the town was awakened, the pathetic scenes which accompanied the recovery of the first dead was re-enacted on a larger scale.

Owing to the condition of the bodies they will be held only 24 hours for identification. If not recognized within that time, the record will be preserved and the interment carried out. Laborers worked all night digging graves in anticipation of the recoveries today.

LARGEST TOBACCO CROP.

Kentucky Yield of Burley and Other Grades 400,000,000 Pounds.

Louisville, Ky., Nov. 20.—Kentucky's Burley and other grades of tobacco in the 1909 crop will be the largest quantity ever known. This was announced today by those Louisville banks which have been gathering figures from their correspondents in the various counties where the weed is grown.

The Burley crop, they announce, amounts to 200,000,000 pounds alone. Of this, between 55 and 65 per cent, has been pooled with the Burley Tobacco and Insurance Co. Prices this year per pound average from 12 to 14 cents, with 19 cents and 20 cents as minimum and maximum, respectively. Loose leaf sales have come in to popularity again and warehouses of this department are being established in the various counties. Dark tobacco counties, however, are not favoring pools and are selling individually.

Bank officials say that the money market of the state which has tightened, owing to the pools, will relax on early movement of the crop and that there is every indication that the pools and independents will sell early.

ADMIRAL TAUSSIG RETIRES.

Commandant of Norfolk Navy Yard Closes Active Career.

Washington, D. C., Nov. 20.—Rear Admiral Edward D. Taussig, commandant of the Norfolk navy yard, closed his active career in the navy today, having been transferred to the retired list by operation of law on account of age. He is a native of Missouri and was star graduate at the United States Naval Academy in the class of 1887. One year after he entered the navy as ensign he was commended for services during the earthquake at Arica in 1888. During the ensuing twenty years he served on the European and Pacific stations and in the coast survey. In the war with Spain he commanded the Bennington and following

the close of the war he took possession of Wake Island and Guam for the United States. In late years he has been in command of the battleship Massachusetts and of the navy yards at Boston, Pensacola and Norfolk. At the latter place he is succeeded as commandant by Captain William A. Marshall, recently in command of the cruiser North Carolina.

LANGFORD TO BOX SCHRECK.

New York, Nov. 20.—Sam Langford has agreed to box six rounds with Mike Schreck at Pittsburg on November 23. Schreck has never been defeated by a negro, he says, but if Langford is fit and does his best it is probable that the ice will be broken. As Langford cannot induce Johnson, Kaufman, Ketchel or Papke to fight him, he is compelled to take on second-raters for comparatively small money. Schreck says he is confident he can stand Langford off to a draw.

ALL-AMERICAN FOOTBALL QUARTERBACKS ARE SCARCE

New York, Nov. 20.—Tom Thorp, expert football writer, says the selection of an All-American football team is made doubly hard because of inability to select a quarterback. He says: "The quarterbacks of the Big Four seem particularly weak this season and unless O'Flaherty of Harvard greatly surpasses his previous performances in the game against Yale, the critic will be compelled to select one from the smaller colleges or the big universities of the middle west."

"Yale has had trouble with this position all fall, and Howe is a long way from measuring up to the standard of his predecessors. Harvard has O'Flaherty, a fair quarterback, uncertain in catching punts and who does not seem to drive the team at top speed or get the greatest amount of speed out of their powerful attack."

"Bergen, the diminutive Tiger quarter, outdid himself in the game against old Eli and earned praise by his game-ness in catching punt after punt, despite the terrific tackling of the Blue team's ends. Yet he is not of All-American caliber. He lacks the ability to keep his team on their toes all the time and is only a fair general."

Miller, the representative of old Penn, is a brilliant, but erratic quarter. He presented a marvelous exhibition against the Indians, but played poorly in the important Michigan game. If he could always play up to his best form he would be entitled to the All-American berth."

"In the middle west we find five high class quarters in McVey, Minnesota's captain; Page, the Chicago leader; Hamilton, of Notre Dame; Moll of Wisconsin, and Wasmund of Michigan. McVey gave a great exhibition when his team showed Chicago under in their annual game. His generalship, open field running, punting and tackling approached the Eckersall standard. "Pat" Page and Moll are fast and handy players, well versed in the possibilities of the new game. Hamilton surprised the Michigan rooters with his fine generalship in the game in which Notre Dame administered such a decisive beating to Ann Arbor. Wasmund, the Michigan quarter, is above the average, but is not a particularly brilliant player."

Originally the Yaquis were an agricultural and a home-loving people. They once possessed a rich tract of land along the Yaqui river in Sonora where they planted their corn and lived in peace with all men who left them alone. The Spaniards tried to dispossess them, but did not succeed. The Mexicans persecuted and hunted them until they were driven to fight for existence.

All they ever asked was justice—plain justice—and to be dealt with fairly. They claimed title to the land they had always held, and the right to cultivate the soil and live peacefully on it, undisturbed. They were willing to give allegiance to the government of Mexico, to pay taxes, and to be good citizens.

Mexico, on the other hand, denied them any right, granted their holdings to rich hidalgos or corporations, and sent troops to enforce the recognition of these grants. They have striven to drive the Yaquis from their ancient homes, they have killed them and their women and children, or taken them as slaves to die in the fever swamps of Yucatan. Many reliable witnesses told me they had seen bands of Yaqui captives on the Tepic road driven, like cattle, under the lash, by mounted soldiers. They saw old men and women fall by the wayside and die, and mothers bearing dead babes in their arms, better hopelessly to their doom.—Dillon Wallace in Outing Magazine.